

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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| _____ |) | |
| IN RE: TERRORIST ATTACKS ON |) | 03 MDL 1570 (RCC) |
| SEPTEMBER 11, 2001 |) | |
| _____ |) | |
| Relates to: |) | |
| |) | |
| World Trade Center Properties LLC, |) | |
| <i>et al.</i> , |) | 04 CV 7280 (RCC) |
| |) | |
| v. |) | |
| |) | |
| Al Baraka Investment and Development |) | |
| Corporation, <i>et al.</i> , |) | |
| _____ |) | |

**NOTICE OF MOTION OF DEFENDANT
SAMI OMAR AL-HUSSAYEN TO DISMISS COMPLAINT**

PLEASE TAKE NOTICE THAT pursuant to Fed. R. Civ. P. 12(b), Defendant Sami Omar Al-Hussayen, through his attorneys, hereby appears for the limited purpose of moving the Court, before the Honorable Richard Conway Casey, United States District Judge, at the United States District Court, Southern District of New York, 500 Pearl Street, New York, NY 10007, at a date and time to be determined by the Court, for an order dismissing the plaintiffs' complaint in *World Trade Center Properties LLC, et al. v. Al Baraka Investment and Development Corporation, et al.*, Case No. 04 CV 7280, on the grounds that Plaintiffs have failed to establish that the Court has personal jurisdiction over him, failed to state a claim against him upon which relief can be granted, and failed to properly effect service of the Complaint upon him pursuant to Rules 12(b)(2), 12(b)(6) and 4(f), Fed. R. Civ. P. A Memorandum of Law in support of this

Motion is contemporaneously filed and attached hereto.

DATED this 14th day of March, 2005.

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_____/s/_____
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*Attorneys for Defendant Sami Omar Al-
Hussayen*

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of March, 2005, I caused copies of the **Notice of Motion of Defendant Sami Omar Al-Hussayen to Dismiss Complaint and Memorandum of Law in Support of Motion to Dismiss of Sami Omar Al-Hussayen** to be served electronically pursuant to the Court's ECF system.

/s/ _____
Scott McKay